

7 FAM 1400

DOCUMENTATION OF MAJOR LIFE EVENTS

7 FAM 1410

INTRODUCTION

(CT:CON-449; 03-25-2013)
(Office of Origin: CA/OCS/L)

7 FAM 1411 SUMMARY

(CT:CON-119 12-01-2005)

Consular officers receive frequent questions about of major life events; birth, death, marriage, and divorce. This chapter addresses these issues. It also includes guidance about reciprocity and driver's licenses (see 7 FAM 1430). Registration of a U.S. citizen has been eliminated as a form of citizenship documentation. For information about registration for emergency planning purposes see 7 FAM 040. Additional detailed guidance regarding death cases is addressed in 7 FAM 200 (generally) and 7 FAM 230 (Reports of Death).

7 FAM 1412 CONSULAR AUTHORITY RELATED TO CIVIL REGISTRARS

(CT:CON-119 12-01-2005)

a. Article 5(f) of the Vienna Convention on Consular Relations (VCCR) provides ...

VCCR, Article 5

Consular functions consist in

“(f) Acting as notary and civil registrar and in capacities of a similar kind, and performing certain functions of an administrative nature, provided that there is nothing contrary thereto in the laws and regulations of the receiving State.”

b. Article 37, Vienna Convention on Consular Relations (VCCR) provides:

Article 37

**INFORMATION IN CASES OF DEATHS, GUARDIANSHIP OR TRUSTEESHIP,
WRECKS AND AIR ACCIDENTS**

"If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

- (a) in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred."

7 FAM 1413 CONSULAR FUNCTIONS RELATED TO BIRTH, DEATH, MARRIAGE AND DIVORCE RECORDS

(CT:CON-119 12-01-2005)

- a. U.S. consular officers do not perform the functions of vital statistics offices in the U.S. states and other U.S. jurisdictions.
- b. Birth of U.S. Citizens Abroad: Consular officers issue Consular Reports of Birth Abroad (CRBAs) (Form FS-240) (22 U.S.C. 2705 provides for the issuance of a "Report of Birth Abroad of a Citizen of the United States.) Information about how to amend, correct, or obtain a replacement copy of a CRBA or obtain a Certification of Birth (Form DS-1350) from the Department of State, Passport Services, Vital Records Section is available on the Internet. See 7 FAM 1440 for detailed guidance on preparation of Consular Reports of Birth Abroad.
- c. Death of U.S. Citizens Abroad: Consular officers issue Form DS-2060, Consular Reports of Death of An American Citizen Abroad (CRODs). Copies of Consular Reports of Death are furnished to state vital records offices by U.S. embassies and consulates at the time the Form DS-2060 is issued (see 7 FAM 230).
- d. Marriage of U.S. Citizens Abroad: Consular officers no longer issue Certificates of Witness to Marriage, but copies of those documents are available from the U.S. Department of State, Passport Services, Vital Records Section. See 7 FAM 1450 for guidance regarding consular services related to marriage, including the notarial service, affidavit of eligibility to marry, required by most foreign countries for U.S. citizens to marry overseas in lieu of a "civil status" certificate which are not issued in U.S. states.
- e. Divorce of U.S. Citizens Abroad: Consular officers issue no document pertaining to divorce. See 7 FAM 1460 for guidance regarding consular services related to divorce.

7 FAM 1414 NATIONAL VITAL STATISTICS SYSTEM (NVSS)

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- a. The National Vital Statistics System is the oldest and most successful example of inter-governmental data sharing in public health and the shared relationships, standards, and procedures form the mechanism by which the National Center for Health Statistics (NCHS) collects and disseminates the Nation's official vital statistics. These data are provided through contracts between NCHS and "natality" (The ratio of live births in an area to the population of that area; expressed per 1000 population per year) data registration systems operated in the various jurisdictions legally responsible for the registration of vital events—birth data, death data, marriage and divorce data, and fetal death data. In the United States, legal authority for the registration of these events resides individually with the 50 States, 2 cities (Washington DC and New York City), 4 territories (Puerto Rico, the Virgin Islands, Guam, and American Samoa), and the Commonwealth of the Northern Mariana Islands. These jurisdictions are responsible for maintaining registries of vital events and for issuing copies of birth, marriage, divorce, and death certificates.
- b. The National Association of Public Health Statistics and Information Systems (NAPHSIS) is a national association of state vital records and public health statistics offices, which is based in the Washington, DC area. The National Committee on Vital and Health Statistics (NCVHS) is the U.S. Department of Health and Human Service's statutory public advisory body on health data, statistics and national health information policy.
- c. Inter-Agency Liaison: CA/OCS, CA/PPT and CA/FPP work closely with state vital records offices on a wide variety of issues ranging from document integrity, to anti-fraud measures and consular notification regarding the deaths of foreign nationals.
 - (1) Fraud Prevention Managers at U.S. Passport Agencies and Centers and CA/FPP (Fraud Prevention Programs) coordinate closely with state authorities. See the Fraud Prevention Programs (FPP) Intranet page for alerts regarding U.S. birth certificates and other documents.
 - (2) Posts abroad send copies of Consular Reports of Death of U.S. citizens abroad to state vital record offices (see 7 FAM 233.3). We are also exploring ways to share data electronically.
 - (3) Social Security Death Registry: See 7 FAM Appendix 1300K regarding passport services initiatives on data share with the Social Security Administration (SSA) deaths registry.
 - (4) Consular Access and Notification and U.S. Closed Record States: Some states have closed records and are reluctant to issue copies of death certificates for foreign nationals to embassies and consulates in the United States. CA/P's consular access and notification program includes interaction with U.S. states on such issues. CA/OCS/L works with CA/P and

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CA/PPT's fraud prevention managers to talk to states about the importance of facilitating provision of death records to next of kin in foreign countries and the possible implications for U.S. citizens who die abroad. If posts receive questions about U.S. states regarding this issue, contact us at Ask-OCS-L@state.gov.

7 FAM 1415 MINIMUM STANDARDS FOR BIRTH CERTIFICATES

(CT:CON-119 12-01-2005)

The Intelligence Reform and Terrorist Prevention Act Of 2004 (Public Law 108-458) addresses standards regarding birth certificates. Section 7211 of Public Law 108-458 provides for minimum standards for birth certificates. There are no implementing regulations yet, but more information about this will be provided as it becomes available. Public Law 108-458 provides that no later than one year after the date of enactment of the Act (which was December 17, 2004), the Secretary of Health and Human Services (HHS) will promulgate regulations to establish minimum standards for birth certificates for use by Federal agencies for official purposes. Two years after such regulations are published; no Federal agency may accept a birth certificate for any official purpose unless the certificate conforms to such standards regardless of where the birth occurred.

7 FAM 1416 THROUGH 1419 UNASSIGNED